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**FILED**  
DISTRICT COURT OF GUAM  
MAR 20 2006  
*[Handwritten signature]*  
**MARY L.M. MORAN**  
**CLERK OF COURT**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM**

10 UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 05-00039  
11 Plaintiff, )  
12 vs. ) **UNITED STATES' MOTION  
13** TO DISMISS INDICTMENT  
14 GERARDO ELOY GONZALEZ, JR., and )  
15 JOHN TIMOTHY PERALTA, )  
16 Defendants. )

17 COMES NOW the plaintiff, United States of America, by and through its undersigned  
18 attorney, and moves that the Indictment in the above cause, as to defendants GERARDO ELOY  
19 GONZALEZ, JR. and JOHN TIMOTHY PERALTA, be dismissed, for the reason that the both  
20 defendants entered a plea of guilty to an Informations on May 31, 2005, under Criminal Case No.  
21 05-00042, and on August 19, 2005, under Criminal Case No. 05-00061, respectively, which said  
22 Information incorporated similar criminal acts.

RESPECTFULLY submitted this 20th day of March, 2006.

**LEONARDO M. RAPADAS**  
United States Attorney  
Districts of Guam and NMI

By:

**MARIVIC P. DAVID**  
Assistant U.S. Attorney